



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.07.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R. PONGIAPPAN**

Crl.O.P.[MD]No.6319 of 2020

C.Petchiyammal

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai,
Madurai(Distirct).

2.The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti,
Madurai (District).

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to withdraw the case in Crime No.73 of 2020 pending before the second respondent and entrust the same to any other officer not below the rank of Deputy Superintendent of Police for investigation based on the petitioner's representation dated 16.03.2020.

For Petitioner : Mr.V.Selvakumar

For Respondents : Mr.S.Chandrasekar

Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to direct the first respondent to withdraw the case in Crime No.73 of 2020 pending before the second respondent and entrust the same to any other officer not below the rank of Deputy Superintendent of Police for investigation.

2.Today, when the petition came up for hearing, the learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that in respect of the petition mentioned Crime No.73 of 2020, investigation has been completed and the charge sheet has also been filed before the learned Jurisdictional Magistrate as "Mistake of Fact".

3.In this regard, the learned counsel for the petitioner would submit that before closing the proceedings no notice was served



with the petitioner/defacto complainant.

4.The submission made by the learned counsel appearing on either side is recorded.

5.In view of the above, this Criminal Original Petition is dismissed with liberty to the petitioner/defacto complainant to file a protest petition before the learned Jurisdictional Magistrate within a period of one month from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Madurai,
Madurai(Distirct).
- 2.The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti,
Madurai (District).
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KM (03.07.2020) 2P 4C